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October 3, 2013

**VIA ELECTRONIC COURT FILING  
AND ELECTRONIC MAIL**

The Honorable Edward R. Korman  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: *Tummino, et al. v. Hamburg, et al.*  
Case No. 12-CV-763 (ERK/VVP)**

Dear Judge Korman:

Plaintiffs respectfully submit this request for a one-week extension of the current briefing schedule on Plaintiffs' Motion for Attorneys' Fees and Costs which was submitted to the Court on August 20, 2013, based on an agreement between the parties. *See* ECF Nos. 97, 109. Under the agreed upon schedule, Plaintiffs' Memorandum and Exhibits in Support of their Motion is currently due on October 4, 2013.

Plaintiffs' counsel has been working diligently on their memorandum and materials in support of their Motion for Attorneys' Fees and Costs. Plaintiffs respectfully request this brief extension of time due to coordinating this briefing with several other coinciding filing deadlines. No prior request for an extension has been made by Plaintiffs' counsel concerning the filing of Plaintiffs' Memorandum and Exhibits in Support of their Motion.

The undersigned counsel for Plaintiffs attempted to confer with counsel for the government, F. Franklin Amanat, since yesterday to seek consent for modification of the briefing schedule as provided for in Your Honor's Individual Motion Practices and Rules, but has not been successful at reaching Mr. Amanat by email or phone, possibly due to the current circumstances with the federal government shutdown.

Accordingly, Plaintiffs propose the following modified briefing deadlines:<sup>1</sup>

October 11, 2013	Plaintiffs' Memorandum and Exhibits in Support of Motion
November 12, 2013	Defendants' Memorandum and Exhibits in Opposition
December 4, 2013	Plaintiffs' Reply in Support of Motion

Thank you for Your Honor's attention concerning this matter.

Respectfully submitted,

By: /s/ Andrea Costello  
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<sup>1</sup> The parties have had an initial discussion to attempt to try to resolve the matter of attorneys' fees and costs without the need for judicial involvement. Plaintiffs remain open to further discussions during the pendency of this briefing schedule and motion.

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